

84TH CONGRESS
1ST SESSION

H. R. 3819

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 1955

Mr. CORBETT introduced the following bill; which was referred to the Committee on Post Office and Civil Service

A BILL

To consolidate and revise certain provisions of law relating to additional compensation of civilian employees of the Federal Government stationed outside the continental United States and in Alaska, except as otherwise authorized herein, and to facilitate recruitment, reduce turnover, and compensate for extra costs and hardships due to overseas assignments.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That this Act may be cited as the "Overseas Allowances
- 4 Act of 1955".

1 TITLE I—OBJECTIVES, DEFINITIONS, AND
2 GENERAL PROVISIONS

3 PART A—OBJECTIVES

4 SEC. 101. The Congress hereby declares that the objec-
5 tives of this Act are to improve and strengthen the admin-
6 istration of Federal Government activities overseas by—

7 (1) codifying into one Act certain provisions of
8 law compensating United States citizen employees of
9 the United States Government stationed outside the
10 continental United States and in Alaska for extra costs
11 and hardships due to overseas assignments;

12 (2) providing uniform treatment for personnel of
13 all agencies of the Federal Government overseas to the
14 extent justified by relative conditions of employment;

15 (3) providing a basis for the more efficient and
16 equitable administration of these provisions of law; and

17 (4) facilitating the recruitment and retention of
18 the best qualified personnel for service in overseas areas.

19 PART B—DEFINITIONS

20 SEC. 111. When used in this Act, the term—

21 (1) “Government” means the Government of the
22 United States of America.

23 (2) “Government agency” means any executive depart-
24 ment, board, bureau, office, agency, commission, or any
25 other establishment of the Federal Government; or any cor-

1 poration wholly owned (either directly or through one or
2 more corporations) by the United States.

3 (3) "Continental United States" means the existing
4 forty-eight States and the District of Columbia.

5 (4) "Overseas" means all areas not included in the
6 continental United States as defined in paragraph (3) of
7 this section.

8 (5) "Foreign areas" means all areas, including for the
9 purposes of this Act the Trust Territory of the Pacific Islands
10 and bases leased by the United States in foreign areas, but
11 exclusive of the continental United States, the Canal Zone,
12 and the Territories and possessions of the United States.

13 (6) "Territories and possessions of the United States"
14 means Alaska, Hawaii, the Commonwealth of Puerto Rico,
15 the Virgin Islands, Guam, American Samoa, and all posses-
16 sions of the United States.

17 (7) "Employee" means a civilian who receives a salary
18 or wage from a Government agency, including ambassadors,
19 ministers, and officers of the Foreign Service, but excluding
20 Members of the Senate and House of Representatives.

21 PART C—GENERAL PROVISIONS

22 SEC. 121. Allowances and differentials authorized by this
23 Act shall be paid only in accordance with regulations pre-
24 scribed by the President establishing rules governing pay-
25 ment and rates at which payment shall be made, and defining

1 the area, groups of positions and categories of persons to
2 which each rate applies.

3 SEC. 122. Notwithstanding the provisions of Revised
4 Statutes 1765 (5 U. S. C. 70), allowances and differentials
5 provided by this Act are authorized for employees (a) whose
6 rates of basic compensation are fixed by statute, and (b)
7 whose rates of basic compensation are fixed administratively
8 in conformity with rates paid by the Government for com-
9 parable work in the continental United States, without
10 taking into consideration allowances and differentials pro-
11 vided by this Act.

12 SEC. 123. Section 116 (j) of the Internal Revenue Code,
13 as amended (26 U. S. C. 116 (j)), is amended to read as
14 follows:

15 “(j) In the case of an employee of the United States,
16 amounts received as allowances (but not amounts received
17 as post differentials) under the provisions of the Overseas
18 Allowances Act of 1955”.

19 TITLE II—ALLOWANCES AND DIFFERENTIALS
20 IN FOREIGN AREAS

21 SEC. 201. The allowances and differentials authorized
22 by this title may be granted to Government employees who
23 are citizens or nationals of the United States stationed in
24 foreign areas, except as authorized herein.

5

1 PART A—QUARTERS ALLOWANCES

2 SEC. 211. Whenever Government-owned or rented quar-
3 ters are not provided without charge, one or more of the
4 following quarters allowances may be granted where appli-
5 cable:

6 (1) A temporary lodging allowance for the cost of tem-
7 porary quarters incurred by the employee and his family
8 upon first arrival at a new foreign post, for a period not in
9 excess of three months after first arrival or until the occupa-
10 tion of residence quarters, whichever shall be shorter, and
11 for a period not in excess of one month immediately preced-
12 ing final departure from the post subsequent to the necessary
13 evacuation of residence quarters;

14 (2) A living quarters allowance for rent, heat, light,
15 fuel, gas, electricity, and water, without regard to the limi-
16 tations of Revised Statutes 3648, as amended (31 U. S. C.
17 529) ;

18 (3) Under unusual circumstances an allowance for
19 extraordinary, necessary, and reasonable expenses, not other-
20 wise compensated for, incurred in initial repairs, alterations,
21 and improvements to his residence at the foreign post of
22 assignment.

1 PART B--COST-OF-LIVING ALLOWANCE

2 SEC. 221. The following cost-of-living allowances may
3 be granted where applicable:

4 (1) A post allowance to offset the difference between the
5 cost of living in Washington, District of Columbia, and the
6 foreign post;

7 (2) A transfer allowance for extraordinary, necessary,
8 and reasonable expenses, not otherwise compensated for, in-
9 curred by an employee incident to establishing himself at any
10 foreign post of assignment or at a post of assignment in the
11 continental United States between assignments to foreign
12 posts;

13 (3) A separate maintenance allowance necessary to as-
14 sist an employee who is compelled by reason of dangerous,
15 notably unhealthful, or excessively adverse living conditions
16 at his foreign post, or for the convenience of the Govern-
17 ment, to meet the additional expense of maintaining his wife
18 or minor dependents or both elsewhere than at the foreign
19 post of assignment;

20 (4) An education allowance or grant as follows:

21 (i) An allowance to assist an employee--

22 (a) to provide for the elementary and second-
23 ary education of his minor dependents, including
24 cost of tuition, board and room, correspondence
25 courses, usual expenses, and transportation costs;

1 (b) to transport his minor dependents, when-
2 ever adequate elementary and secondary educational
3 facilities are not available at the post at which he is
4 serving, to and from the nearest locality where such
5 facilities are available.

6 (ii) Travel grants:

7 (a) An employee who has served in foreign
8 areas for more than five years may receive a grant
9 for the travel expenses incurred in transporting his
10 minor dependents to and from the nearest port of
11 entry in the continental United States or in a Ter-
12 ritory or possession of the United States, not to ex-
13 ceed one round trip, under travel orders unrelated
14 to home leave orders for the parents, for the pur-
15 pose of securing an American secondary-school
16 education: *Provided*, That no allowance payment
17 under (i) (a) and (b) above shall be made on
18 behalf of a dependent who is in the United States,
19 its Territories or possessions, under a travel grant
20 authorized herein.

21 (b) An employee may receive a grant for the
22 travel expenses incurred in transporting his minor
23 dependents to and from the nearest port of entry in
24 the continental United States or in a Territory or
25 possession of the United States, not to exceed one

1 round trip, under travel orders, unrelated to home
2 leave orders for the parents, for the purpose of ob-
3 taining post-secondary or college education.

4 PART C—REPRESENTATION ALLOWANCE

5 SEC. 231. Representation allowances may be granted to
6 employees assigned to foreign posts or to resident missions
7 to international organizations in amounts determined to be
8 necessary for the furtherance of the United States interests.

9 PART D—STORAGE ALLOWANCE

10 SEC. 241. Payment or reimbursement may be authorized
11 for the cost of transporting to and from a place of storage and
12 storing an employee's furniture and household and personal
13 effects for not to exceed three months after first arrival at a
14 new post; or when an employee is assigned to a post to which
15 he cannot take or at which he is unable to use his furniture
16 and household and personal effects; or when such storage
17 would avoid the cost of transporting such effects from one
18 location to another.

19 PART E—OFFICIAL RESIDENCE ALLOWANCE

20 SEC. 251. An allotment of funds may be made to any
21 foreign post to defray the unusual expenses incident to the
22 operation and maintenance of official residences suitable for
23 the chief representatives of the United States at that post.

1 PART F—POST DIFFERENTIAL

2 SEC. 261. A post differential may be granted on the
3 basis of conditions of environment which differ substantially
4 from conditions of environment in the continental United
5 States and warrant additional compensation as a recruitment
6 and retention incentive. Additional compensation paid as a
7 post differential shall not in any instance exceed 25 per
8 centum of the rate of basic compensation.

9 TITLE III—ALLOWANCES AND DIFFERENTIALS
10 IN TERRITORIAL AREAS

11 SEC. 301. The allowances and differentials authorized
12 by this title may be granted to Government employees who
13 are citizens or nationals of the United States stationed in
14 Territories and possessions of the United States.

15 PART A—COST-OF-LIVING ALLOWANCE

16 SEC. 311. A Territorial cost-of-living allowance may be
17 granted to offset the difference between the cost of living in
18 Washington, District of Columbia, and the Territorial post or
19 area.

20 PART B—STORAGE ALLOWANCE

21 SEC. 321. Payment or reimbursement may be author-
22 ized for the cost of transporting to and from a place of stor-
23 age and storing an employee's furniture and household and

1 personal effects for not to exceed three months after first
2 arrival at a new post; or when an employee is assigned to a
3 post to which he cannot take or at which he is unable to use
4 his furniture and household and personal effects; or when
5 such storage would avoid the cost of transporting such
6 effects from one location to another.

7 PART C—POST DIFFERENTIAL

8 SEC. 331. A Territorial post differential may be granted
9 on the basis of conditions of environment which differ sub-
10 stantially from conditions of environment in the continental
11 United States and warrant additional compensation as a re-
12 cruitment and retention incentive. Additional compensation
13 paid as a post differential shall not in any instance exceed
14 25 per centum of the rate of basic compensation.

15 TITLE IV—MISCELLANEOUS PROVISIONS

16 SEC. 401. Funds appropriated for the fiscal year 1954
17 to any Government agency, as defined in section 111 (2)
18 of this Act, are hereby made available for the purposes of
19 this Act in accordance with authority granted herein and
20 such regulations as the President may prescribe. Appropria-
21 tions of additional funds as may be required to carry out the
22 purposes of this Act are hereby authorized.

23 SEC. 411. The following statutes or parts of statutes
24 and all amendments thereto are repealed:

1 (1) That part of the Act of June 26, 1930, which reads
2 “and, where such quarters are not available, may be granted
3 an allowance for living quarters, including heat, fuel, and
4 light, notwithstanding the provisions of section 1765 of the
5 Revised Statutes (U. S. C., title 5, sec. 70)”; and the phrase
6 “or allowances in lieu thereof” in the first proviso of said Act
7 (ch. 622, 46 Stat. 818; 5 U. S. C. 118a).

8 (2) Sections 443, 853, 901, 902, 903, 911 (4), and
9 911 (5) of the Foreign Service Act of 1946 (ch. 957, 60
10 Stat. 999-1040).

11 (3) Section 207 of the Act of April 20, 1948, as
12 amended (62 Stat. 194; 62 Stat. 1205; 5 U. S. C. 118h).

13 SEC. 421. Any statute that is not repealed by section
14 411 but which is inconsistent with any of the provisions
15 of this Act shall be considered as having been amended or
16 superseded by such provisions.

17 SEC. 431. The repeal of the several statutes or parts of
18 statutes accomplished by section 411 shall not affect any act
19 done or right accruing or accrued, or any suit or proceeding
20 had or commenced in any civil cause, before such repeal, but
21 all rights and liabilities under the statutes or parts thereof
22 so repealed shall continue, and may be enforced in the same
23 manner as if such repeal had not been made; subject, how-
24 ever, to the provisions of section 441.

1 SEC. 441. The repeal of the several statutes or parts of
2 statutes accomplished by section 411 shall not be construed
3 as a revival, up to the effective date of this Act, of any
4 statute or part of a statute that may have previously been
5 repealed by implication.

6 SEC. 451. Notwithstanding the provisions of this Act,
7 existing rules, regulations of or applicable to the Government
8 agencies shall remain in effect until revoked or rescinded or
9 until modified or superseded by regulations made in accord-
10 ance with the provisions of this Act, unless clearly incon-
11 sistent with the provisions of this Act.

12 SEC. 461. The effective date of this Act shall be the first
13 day of the first pay period which begins after three months
14 following the date of enactment.

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